

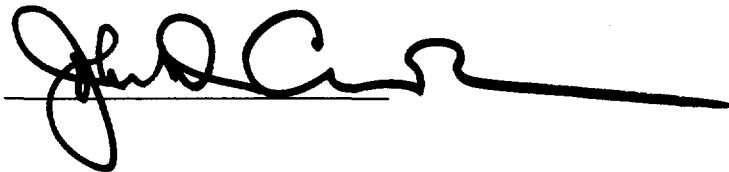
Immigration Policies in Post World War II France

An Honors Thesis (Honors 499)

by

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Purpose of Thesis:

This study of French immigration policies spans the years following the Liberation after World War II until the present time. The leaders of France had somewhat different policy perspectives related to their time of leadership and political persuasion. This study also includes the activities of the National Front, which is the anti-immigrant party in France. The European Union is also another policy provider in terms of immigration in France, and that is explored as well. The policies have changed dramatically over this fifty year period of time, and continue to be a thorn in the side of the current administration. This study was done to explore how the current policies have evolved from those of the past.

Immigration Policies in Post World War II France

The world is becoming smaller. Telecommunication systems are advancing, transportation is becoming more affordable, and the global marketplace is expanding. The idea of globalization is less of a theory and more of a reality. Globalization involves more than just technology and industry. It also encompasses the exchange of ideas and the cooperation among nations. For all of the technology exchanged and manufacturing distributed throughout the world, an exchange of people and cultures makes an independent impact. People are not computers. They have thoughts, beliefs, customs and religions that are evident by the words they use or the way they dress. Cultural globalization is a result.

People do not always wish to stay in the places they were born or raised. We have ethnic wars going on all around the globe. Wealth is not equally distributed. Communist countries still exist, and there are nations where human rights violations run rampant. Racism is alive and well. There are nations in this world where unemployment is the norm rather than the exception. People want to leave the places where these things occur. They want to make better lives for themselves. They want to be able to raise their children in a

world where they have schools and meals to eat. They want to be able to find a job and have a decent roof over their heads. They want to live in a place where they and their children can get adequate medical care. Emigrating to a nation where these problems do not appear to exist, or exist at a reduced level would seem to be an attractive alternative to some. To others it is their only choice. These immigrants were oftentimes going to nations where they did not speak the language or know the customs. Often men, or heads of families, would go first and secure a place, hoping to one day bring the rest of their family to a new home.

Immigration is an issue that sparks controversy in economically advantaged nations. It is also an issue that has no easy answers. People are afraid of what they do not know. High unemployment in receiving countries ignites concerns that immigrants are taking jobs away from native-born citizens. In a time of vast welfare states, benefits are being bestowed upon persons who do not have permanent resident status. Taxpayers become resentful. Aside from economics, there are the cultural differences. Racism and prejudices rear their ugly heads and hate speech and hate crimes occur. Changes in policies erupts protests and opposition from all sides.

There have been times during the last fifty years when immigrants were welcomed in Western Europe. There were shortages of workers and low birth rates in some countries. Immigrants were seen as a way to remedy these situations. When unemployment started to grow, so did anti-immigrant sentiment, both from the average citizen as well as the governments. The welfare states of Western Europe could not sustain the large immigrant populations which were viewed as a liability. Assimilation policies in some nations were not

as successful as anticipated and large ethnic communities developed only to become targets for anti-immigrant groups.

While most of Western Europe is dealing with the issue of immigration, the focus here will be on France. Immigration policy is a heated topic in France. It has been in the news given recent attempts by the government to deport immigrants. The efforts caused large protests all over the country. Immigration policies in France have ranged from very welcoming to very restrictive, depending on the administration and the state of the economy. For example, after World War II there was a period of rapid growth in the industrial sector. The number of workers could not keep up with the demand of the work. Therefore, persons from abroad were encouraged to obtain jobs in the domestic manufacturing sector. Immigration policies were extremely liberal and very few restrictions were in place. In contrast, Chirac's current government is trying to tighten policies relative to those already in France and those wishing to come.

In this paper, and is the case in most other writings, the term immigrant will be used to refer to persons from Northern Africa and the former French colonies. The vast numbers of immigrants in France are from Northern Africa.

This study of France's policies will begin with an historical overview addressing the years immediately following the Second World War through the mid-80's. The mid-80's was when immigration became a heated controversy. This commentary will be focal point of an independent section. The period established the basis for the current policies of Jacques Chirac. The fourth section will be devoted to the amount of hostility and reactionary measures in France and the rise of anti-immigrant groups like the National

Front. In addition to internal regulations on immigration, as a member of the European Union, France must adhere to EU policies concerning immigration. This issue will be addressed separately. Finally, an analysis of the prospects and future of immigration in France will constitute the remainder of this study.

This is not an exhaustive study. This is an ongoing concern. As the European Union continues to evolve, so will the policies regarding immigration. France is both in the heart of the developments trying to maintain its sovereignty on immigration issues. France is also a fickle nation wanting to be both liberal and restrictionist. This presents a paradox that plagues France and its decision-makers. Is there a “France First” mentality, or the France that advocated for the free movement of goods and persons? Or does France wish to exhibit both qualities?

Historical Perspective

France was in shambles after World War II. Many French soldiers lost their lives, and a great number of battles were fought on French soil. Rebuilding the economy, the population, the infrastructure and the morale of the people were in order. These were great tasks to be accomplished by a government that was also in need of rebuilding. This is traceable to the collapse of the country to the Nazis in 1940 and the collapse of the government as well. The Vichy regime had no legitimacy, and a new post war administration had to be devolved. The period between the Liberation and the founding of the Fourth Republic was a time of Charles de Gaulle. He was selected as the most qualified candidate to lead France in a new direction. He had organized a large resistance army

during the war, and was a widely respected military hero. He wanted an administration that was based on a powerful executive, himself being the leader. He was anti-party and very conservative. His vision for the country was not to be realized until the Fifth Republic, however. The partisanship of the rest of the politicians proved to outweigh de Gaulle. The Fourth Republic was formed about two years after the Liberation. The search for a new constitution that was different from those of the past pitted different parties against each other. The socialists, the far right, the centrists all had their idea of what the new France should be. In the end, the new constitution turned out to be not very different from that of the Third Republic.

The Third Republic toppled because of Hitler. The Fourth Republic perished because of Algeria and the Empire. There was a war in French Indo-China in the mid 1950's which cost a tremendous amount of money and lives, which in the end only shamed France. The French colonies in Northern Africa were the next to fall. Tunisian independence was granted in 1956. France would not let go of Algeria as easily. However, there was mounting insurrection in Algeria and a fight for independence broke out. There was support for the war in the beginning, because the French did not want to lose the colony and its status as a colonial power. Despite the censorship of the actual details of the war back home, the news and stories of torture and atrocities committed by the French soldiers in the Algeria could not be kept silent. Support dwindled, and there became a crisis in the regime. On June 1, 1958, General Charles de Gaulle was voted the new leader of France, thus ending the Fourth Republic and the end of the French empire (McMillan 160-62). In 1958, he was able to do what he had not been able to in 1947.

The collapse of the Fourth Republic and the beginning of the Fifth is significant in terms of immigration policies. The 1950's and early 1960's were the time when immigration into France began to accelerate. There were not many changes in policies with the changing of constitutions. As time went on, and more and more immigrants came into France, things changed. As the current regime of France, policies during the Fifth Republic in regard to immigration fluctuated greatly in response to both public opinion and demonstrated need. General de Gaulle set the precedent for which all subsequent leaders have followed.

Before the World War II, the immigrant population consisted mainly of Italians, Belgians, Spanish, Poles and Germans. The decade of 1930-1940, the percentage of foreigners living in France was at 4.1% (Hollifield 115). As early as 1916, the state tried to gain control over foreigners by requiring all foreign persons over the age of 15 to obtain a residency permit. Immediately after the war, employers took the initiative in recruiting foreign workers. They established the Societe Generale d'Immigration whose purpose was to help businesses locate sources of foreign labor. As a result, immigration prior to World War II went virtually uncontrolled.

After the war, two major trade unions in France, the Confederation Generale du Travail and the Confederation Francaise des Travailleurs Chretians, were adamantly against uncontrolled immigration. They lobbied forcefully for the creation of an agency designed to regulate the foreign population. In their estimation the agency should be neutral, or in other words, not an extension of the businesses who wanted cheap labor. The position of labor towards immigrants is both unsurprising and protectionist. The jobs of French citizens were at stake. The fears were twofold. The first was job replacement. Foreigners would come

in and take employment opportunities away from the native born French. The second fear dealt with wages. The immigrants were willing to work for less money than French natives were. Therefore, their presence would drive down wages, both for those already employed, and those who were going to be employed. The unions wanted to prevent these situations from happening.

To confuse the issue, non-business groups were also encouraging increased immigration. The populationnistes were a group of scholars and politicians who were associated with the Alliance Nationale pour l'Accroissement de la Population Francaise. This organization had been active during the Third Republic by publicizing the dangers of a declining population. They also worked to promote ways to increase birth rates. They reappeared again after WWII, as the native French population was greatly reduced from casualties. Two prominent populationnistes were Robert Debre and Alfred Sauvey. They argued forcefully that one of the most important problems facing post war France was finding workers to supplement a weakened population and to rebuild the country. The populationnistes, not the unions, were the loudest voices heard by the new government (Hollifield 117).

At the beginning of the Fourth Republic, immigration numbers were relatively low. This can be contributed to the selective nature of policy (Southern, Catholic Europeans were preferred because they were relatively easily assimilated into French society), and the uncertain economic climate at this time. Businesses and employers were not ready to take large strides in increasing their workforces at this time, and they certainly did not feel that the domestic labor supply would be exhausted if they were to do so. However, the French

planners estimated that there would be a need for 430,000 new immigrants in 1946-47 alone (Hollifield 119). The planners foresaw the rapid increase in industrial production and modernization. Whatever the insight, the first sustained period of growth did not occur until 1953. Until then, there were fluctuations in the market and the economy.

The Office National de l'Immigration (the ONI) was created by de Gaulle's provisional government to regulate the influx of new workers that would be needed to sustain anticipated growth in the post-war economy. During the Fourth Republic immigrants were seen as very significant factors of production. The ONI was to be the center of governmental control on immigration, and in turn on the economy. Immigrants were the key to a growth. If the government could control immigration, it could have some control in the rate of growth. The populationnistes and the trade unions were allies in policy making at this time, with the government clearly in a leadership role. The clear loser in this corporatist structure was the employer. Previously, the employers were the recruiters of immigrant labor. Now, they were at the mercy of the ONI, the populationnistes, and the trade unions.

However, the ONI was relatively ineffective at controlling immigration. This agency received its funding through employers contributions made to the ONI when they hired foreign workers recruited by the government. It was cheaper for employers to try and hire directly instead of using the ONI. Its regulations and red tape prior to securing permission to hire immigrants was its own undoing. An employer had to establish a work contract stating the type of work and work environment as well as housing. The contract was then submitted to the departmental service of employment of labor, which in turn, passed on the

request to the Ministry of Labor. If and only if the request and contract were approved by the Ministry could it be given to the ONI. At the time, the ONI could send the request to an overseas office that would recruit the necessary workers. This long and tedious process was designed to control the inflow of immigrants. The employers were not able to acquire the number of workers when they were needed because of the bureaucratic procedure. France was not able to adequately meet the employment needs that were supposed to be met by increased immigration (Silverman 40).

As a result of this, the number of immigrants declined from 1946-54 by almost 200,000 (Flower 77). The only increase in immigration was that of Algerians coming to France who were not controlled by the ONI because they were citizens of a French colony. They were allowed unrestricted entry into France. Employers took it upon themselves to recruit their own labor, which was at a much reduced cost of both francs and time than by going through the ONI. These immigrants were benefitted greatly by the virtually uncontrolled immigration. The only obstacle these persons had to face was providing a proof of an offer of work. "The heterogeneous nature of immigration, the failure of the ONI and the minimal prominence given to the topic in official circles make it impossible to talk of a coherent state policy on immigration in the post-war period" (Silverman 42).

DE GAULLE AND HIS FRANCE

The Fifth Republic's *Trente Glorieuse* were the years of de Gaulle and the rapid rise of the French economy. In 1958, monetary stability was restored and investors began to rest easy and start to spend money again. The political ideology of the Gaullists was that of

pro-business and cooperation between government and industry. The electoral system was reformed to a dual-ballot system as opposed to the proportional representational system known in the Fourth Republic. This new system reduced the seats held by the Communists, allowing for more conservative policies. The dual-ballot electoral system also strengthened de Gaulle's presidency.

In terms of immigration policies, it signaled a further influx of immigrants. The labor unions had less in government policy and their concerns were no longer considered important. Employers were given greater freedom to hire, fire and recruit workers, both French workers, and immigrants. The ONI's focus was shifted as well. The agency allowed employers to directly recruit workers abroad. The cumbersome administration process ended, and the ONI was reorganized to control legalization of immigrants already in France as opposed to regulating those admitted.

Between 1956 and 1966, there was a threefold increase in the number of immigrants into France. The liberal immigration policies designed to assist business and the economic development were partially responsible for the rise in numbers. Another factor was the European Economic Community established in 1956. One aspect of this new supranational body was to allow for the free movement of persons among member nations. In the years of 1966 to 1973 immigration in France did not slow as it did in other European countries. There were greater numbers of Algerians coming to France than before, stemming from unfavorable economic climate at home and their former status as a French colony. In 1969, however, France and Algeria made an agreement to limit the number of Algerian nationals coming to France to be about 35,000 annually. Previously, there had been about 210,000

persons per year (Kubat 167). Also included in this agreement was the elimination of French citizenship of Algerians.

In 1968 the French government began placing greater restrictions on immigration. They began to categorize immigrant status based on the country of origin. France distinguished between those who were from countries whose emigrants must meet certain standards set by the ONI, and those they deemed favored nation status. The countries in the first category were those that used to be colonies, such as Algeria. The favored nation status was given to countries that were still under French control, such as the French Antilles and other islands in the Caribbean. In this year, the government also issued regulations that established employment priority dependent on immigration status. At this time only about 1 out of every 4 job vacancies going to foreigners was filled through the ONI. These regulations included exemptions for Portuguese workers. They were no longer required to go through ONI channels because they were still under strict regulation in their home country. Household workers, and skilled workers in short supply were also exempt from having to use the ONI to gain entry into France. Families of workers who were already in France were allowed to migrate freely under reunification policies although their entry was coordinated under the ONI. This pushed the ONI to discourage new workers to come into France from places such as Morocco, Tunisia and Yugoslavia.

These regulations allowed for the ONI to resume its role in controlling immigration. Employers had to return to the ONI in order to gain new workers. France also set up a new agency designed to coordinate job vacancies and employment opportunities, the National Employment Bureau, as a result of these new policies (Hargreaves 178).

In 1969, General Charles de Gaulle stepped down from office. The events that had taken place in May of that year, to be discussed further in the section on opposition, had forced de Gaulle to reexamine his stature and role in French politics. The riots and student protests that had erupted in Paris over the overcrowding of classrooms turned into a massive demonstration of the dissatisfaction with many different social policies of the government. In April of 1969, the French people voted no on a referendum called by de Gaulle to support two of his reforms. Sensing the lack of faith in the people, de Gaulle resigned on April 27, 1969.

AFTER DE GAULLE

Georges Pompidou followed in the large foot prints of de Gaulle. He had been prime minister under de Gaulle, from 1962 to 1968. He seemed the right Gaullist to take the General's place as the leader of France. His policies during this time concerning immigration, however, were muddled and inconsistent. He was president from 1969 to 1974. 1970 was the year that immigration had reached its post-WWII peak. The number of foreigners in France was 3,061,000 or 6% of the population (Silverman 47).

In 1972, France under Pompidou took another step to try to impede immigration. It did so in the form of ministerial directives, called the *circulaire Fontanet*. These directives proved to be the most effective in controlling immigration. There were such directives which were intended to give absolute employment priority in France to unemployed the bona fide immigrants who were already in France. New immigrants were only admitted to the country to work if able to obtain a work permit from the ONI. The work permit was

established to eliminate all forms of noncontractual immigration, or in other words, to prevent foreigners coming to France on their own to search for a job that was not arranged.

These were controversial directives for one specific reason. The circulaire attempted to link the residency permit with the work permit, essentially giving control of residency to employers. In effect, if a worker was unsatisfactory the employer had the authority to send the worker home by effectively denying both work and residency permits.

These directives also created the need for increased bureaucracy. The problems with the ONI in the late 40's and early 50's reappeared. There were long delays between the time a worker was requested and the time the worker was present and ready to contribute to the company. The employer was also responsible for acquiring housing for the immigrant employees, which became a bureaucratic nightmare for businesses and also new immigrants. There was loud outcry against these directives. Employers associations and those involving the construction industry were the most critical of the Ministry of Labor's Directives. There was also a suit regarding the legality of these regulations brought by one of the major labor unions, the CFDT (Confederation Generale du Travail). The Conseil d'Etat, the supreme court of France, declared the directives illegal in 1975.

With this defeat, the government was not deterred in its efforts to limit immigration. It began a different policy objective aimed at the sending nations. France undertook agreements with both Portugal and Algeria to try to curb the flow. The administration required every foreign worker to have a work permit and Algerians were issued a single work and residency permit. In 1973 Algeria suspended all emigration to France as a result

of attacks against its citizens. These things reduced the inflow however immigrants continued to come in using tourism as a ploy for admission (Noirel 129).

In the early 70's social aspects of immigration were attracting public attention. Substandard housing around Paris and other industrial cities were termed "bidonvilles," "caves," and "baragues de chantier." In 1970, the death of five African workers from asphyxiation in Paris drew wide attention to the problems of overcrowding and the appalling level of housing (Silverman 50). The government created the Societe Nationale de Construction de Logements pour les Travailleurs, SONACONTRA, to help establish housing for the foreign workers, but this agency only dealt with a small portion of the population. In 1970 an additional organization, Gip, was created to help in the reduction of slum housing. However, regardless of these new ministries, the Fontanet circulars left housing up to the employers, reducing the government's role in the problem. The link between employers and employee housing was meant to maintain the idea that the social aspects of immigrants should be linked to their economic function (Silverman 51). This was a non-interventionist approach to the social aspects of immigration characterized the Pompidou years (1968-1974).

Even with the restrictions placed on immigrants during this time, a few benefits were given as well. In 1972, foreigners were given the same rights as French nationals for election as delegates to company committees. Also in the same year, a ground-breaking law was introduced which outlawed incitement to racial hatred and racial discrimination. The purposes of these laws was to make the assimilation into French culture an easier transition for the immigrants.

In 1974, Pompidou died of cancer. Yet another Gaullist, Valéry Giscard d'Estaing, took his place. The economy was beginning to slow down and the oil crisis of 1973-74 made the future of immigrants uncertain. Unemployment began to rise, and the first to become unemployed were the immigrants. Giscard appointed a secretariat of state to handle immigration. In July of 1974 it issued another halt to immigration. The government stepped in to save certain industries from collapse by taking them out of the private sector and placing them in the hands of the state. While costly for the country, it was seen as a necessary step to counteract the failing economy. In certain industries such as mining and construction, a ban was lifted allowing them to hire immigrants because cheap labor was necessary to keep the industries from failing. The halt on immigration reduced the numbers from 64,461 in 1974 to 25,591 in 1975 and by 1981 it was at 17,380. This was a vast decline from the peak in 1970 of 213,000 (Hollifield 132).

The next few years brought additional changes and further restrictions. The conservatives and their "France First" mentality led the administration until 1981. A program of twenty-five measures were introduced that were to retain the suspension of immigration. These measures steadied the influx of foreigners, improved the rights of immigrants already in the country, and developed better housing. New job training programs, better reception and orientation programs for those arriving into the country were other objectives. Finally, addressing the issue of cultural differences within immigrant communities and closer cooperation with European Community members in establishing a uniform policy on immigration were priorities (Flynn 200). Also included in these new directives was a policy designed to try and repatriate immigrants, and to further integrate

the ones that stayed into French society. Unfortunately, these programs were also under funded, indicating that Giscard's sincerity and sympathetic appearance were questionable.

These new ideas and programs were to be maintained largely by municipalities and on a local level. However, municipalities were unwilling to house more immigrants and improve housing to the extent necessary. In 1975, 15,000 residents in immigrant hostels established by SONACONTRA went on strike protesting rents and the severity of the rules that were in place. This strike lasted for five years. The housing projects were not the only ones to be under funded. The job training and orientation programs also were not established because of lack of money.

The Giscard administration continued in its efforts to thwart immigration. In 1975, the procedure of linking work permits and residency permits was once again legislated. At this time, there was increasing unemployment. With this new legislation, any immigrant that had lost his or her job was likely to be deported after six months. Also, in 1977 another repatriation plan was developed. This time an incentive of 10,000 francs was given to any unemployed foreigner who wished to return home. The Secretary of State for Foreign Workers, Lionel Stoleru, made public his wish to send over one million persons back to their countries of origin. This offer was extended to those employed immigrants who had been in France for a period of five years or longer. In the end, only about 57,000 workers took advantage of the offer, most of whom were Portuguese and Spanish workers not truly targeted by this incentive. These persons were most likely those who had already planned to return home and took advantage of the compensation in doing so (King 100).

In 1980, the Bonnet Law was established. This law was designed to impose stricter

entrance requirements and residence rights in France. It was meant to fight illegal immigration. This law also allowed the government to expel over 300,000 illegal foreign residents (Flowers 89). The only condition placed on the government in terms of whom they may expel was that of a demonstrated threat to the community and to France, in reality this was not a restriction, but a convenience invoked by the authorities. This law also required immigrants to produce proof that they had adequate means to support themselves throughout their stay in the country and provide proof that they could pay for their trip home. This was intentionally meant to discourage those coming to France, because most of the people were coming to find wealth that they did not have.

The Mitterand Years and the Socialist Perspectives

In 1981, Giscard d'Estaing was defeated by the socialist candidate, Francois Mitterand. Mitterand had built up the fledgling Left over the course of about 10 years. The de Gaulle era left the socialists in shambles, and through the efforts of Mitterand, the party came back strong enough to win the Elysee, the Presidential Palace in Paris. Mitterand brought a different focus to immigration policy during his tenure in office. Previously, the focus had been legislation regulating the inflow of foreigners and regulations related to labor. Mitterand emphasized human rights.

Mitterand's policies had two main points. The first was to control illegal immigration. He introduced stricter border controls and also internal controls in 1983. The second aspect was to improve living conditions of those already in France. Another important aspect to the socialist policies was the elimination of the searches and seizures

and police discretion. Prior to this, the police were given the power to stop and verify papers of those persons suspected of endangering French society. However, this policy was mainly directed toward immigrants. This administration suspended the expulsion of illegal immigrants, and reaffirmed the family reunification policy. He encouraged freedom of association of immigrants which allowed them to organize and lobby for their cause. Increased political participation emerged out of this new found freedom. New "elites" arose and became mediators between ethnic groups and the politicians (Heinz 73). Court orders were now required for deportations. And young persons who had lived in France all their lives were exempt from deportation all together. Mitterand also granted amnesty for all illegal immigrants in 1981.

In 1984, in order to help to assimilate and make immigrants less suspicious of their status, the administration introduced a 10 year residence card that was automatically renewable. This ended the linkage between residency status and employment status, which had been controversial since its introduction in the early 1970s. This would eliminate the mass numbers of deportations that had occurred previously as a result of the single permit.

In the 1980s immigration was the major policy issue. In 1982 the census put the number of immigrants in France at 6.8% of the population (Silverman 58). This number had remained stable since the suspension of primary integration in 1974. The numbers remained the same because of the previous policies of family reunification and also because of children born of immigrants. During this time, there were several laws, even more decrees, and hundreds of circulars devoted to immigration. These all erupted as a response to those events of the 1970s but also because there had been an increase in the numbers of

attacks on foreigners and the rise of the National Front, the far right, anti-immigrant party. Also occurring at this time was a recession in the economy. Unemployment was rising, and those hit the hardest was the immigrant population, which accounted for 10% of the job seekers in 1983 (Hollifield, Immigrants 191).

In light of the recession and the rise of the National Front, Mitterand and the administration began to take a hard line on those allowed into the country. Regularization of seasonal workers was ended in 1982. In 1983 the Council of Ministers met and decided that there was a need for increased controls and another plan for financial aid for voluntary repatriation. This was a financial package that was to be negotiated through the countries of origin. It was termed *aide a la reinsertion*. This aide consisted of a return fare to the home country for workers and their families and a one-time payment for moving expenses and fiscal participation in the industries that would employ the worker in his country of origin. In order to be eligible for this aide, an immigrant must be 18 years of age, could not be an EC national, and could not reclaim his work permit as part of the family reunification plan (Kubat 180).

As with the previous plan by Stoleru, there were many criticisms of the program. The repatriation was seen as only a way to reduce immigrants in France already during a time of unemployment and racism, and not a permanent remedy to the larger problem at hand. In 1984 Mitterand implemented stricter controls on the family unification policies. These new restrictions made the process by which family members could their relatives who were already in France virtually meaningless. In order for a foreign national to be eligible to join his relative, the member of the family already in France must provide evidence that he

has adequate housing and finances to support his family. 1984 was the time when immigrant unemployment was extremely high, and also when immigrants were living in the worst conditions to date (Silverman 62).

These back and forth shifts in policies plagued Mitterand and the socialists. They were clearly reactionary policies, and certainly incoherent. The restrictions on family unification of 1984 discriminated heavily against non-European Community nationals, and was against terms of an accord signed by France of that same year, "Convention relating to the juridical status of the migrant worker" (Silverman 63). The people of France were not appeased by these fluctuations in policies, and they voiced their displeasure in 1986. The parliamentary elections in that year were taken by the conservatives, and they chose Jacques Chirac as their prime minister.

CHIRAC AND THE COHABITATION YEARS

Jacques Chirac campaigned on the platform of further constraints on immigration. The Minister of the Interior, Charles Pasqua, was Chirac's right hand man in terms of making the restrictions more than a campaign promise. Pasqua proposed legislation that would bring back executive control over deportations, on the grounds of threats to public order, much as it had been under Giscard in the 1970's. The *Lois Pasqua*, the Pasqua Laws, were implemented to control the entry and residence of foreigners. Pasqua's laws allowed for the expulsions of immigrants to be made by local prefects instead of by the judiciary. These regulations also required visas for all non-EC nationals. In 1986, Pasqua's disregard for human rights led to the deportation of 101 Malians, which led to even more

deportations after that. He made public his intention to deport illegal immigrants in train loads.

Chirac also wanted to make it more difficult for foreigners to acquire citizenship. He attempted to eliminate the *jus soli*, or place of birth, clause for citizenship. This holds that all children who were born in France to foreign parents had the right to claim French citizenship at the age of 18. If *jus soli* were disregarded, the number of persons considered foreign would greatly increase. In 1986 a bill was introduced that would reform the Code of Nationality. This bill was designed to eliminate the automatic granting of French citizenship to those persons. Under the new law, those turning 18 would have to apply for citizenship which could be subsequently denied pending certain conditions, for example, of prison records. There was widespread protest of this new bill, and it was rejected by the Conseil d'Etat. With the rejection of the policy, a commission was formed to investigate the question of nationality. In September of 1987, Chirac recanted stating that it was too sensitive and controversial to address pending the upcoming Presidential election in 1988. Throughout 1986-88 during cohabitation, President Mitterand, even though maintaining the presidency, was constrained because the parliament was controlled by the opposing party.

RETURN TO SOCIALIST POLICIES

President Mitterand was elected to another term in 1988, in a narrow victory over Chirac. This time, the socialists were once again in control of the parliament allowing Mitterand's objectives to be carried out once again. The Pasqua Laws of 1986 were repealed. In the years from 1988-93 the focus shifted away from controls and onto issues

of nationality, multiculturalism, and integration. There was a surge in Islam in the ethnic community which was seen as a threat to the French state. In 1989 a media event attracted attention that was to help shape policy. Three female students at Creil, near Paris, were suspended from classes for wearing head scarves, traditional of their Islamic background. This sparked controversy over the secularization of schools and furthered the public consciousness in the area of equal rights. The Conseil d'Etat issued a ruling that all students were to be included in classrooms despite their religious or ethnic backgrounds. Integration, suburban problems and racism versus anti-racism became the major battles in the war on immigration in the 1990's. There were several responses to the social crisis. A new ministry, the Council of Integration, was established to formulate ways to integrate immigrants more effectively into society. They were to address situations that arise in housing, school, and job training. However, in their first meeting in 1989, not much but entrance restrictions and asylum abuse were discussed. In subsequent meetings of the Council, relevant topics were covered but action on ideas has not yet been realized.

Riots in immigrant dominant suburbs of the large cities, Paris and Lyon, in 1990 perpetuated the social unrest associated with uncontrolled and unwanted immigration. Demonstrations broke out in schools in these areas because of the unequal conditions and poor quality compared to schools in other parts of France. Desecrations of Jewish graves in Carpentras represented the types of symbolic violence that was erupting throughout the country in dissatisfaction with the presence of large numbers of immigrants and "non-French." During this time, there were also revisionist history excluding any indication of the existence of the Holocaust. "After ten years under a socialist president, France was

profoundly marked by a sense of national and social crisis. The term 'immigration' had become a euphemism for this crisis" (Silverman 69).

Chirac and the Policies of Today

When Chirac took over the Presidency in 1994, he continued the objectives he had initiated during his tenure as prime minister. He called for further restrictions on immigration, and also for increased deportations. The National Assembly is his ally with a conservative majority. In the past two years, he has tightened legislation and bowed to the extreme right. Earlier this year, he was able to acquire legislation that would allow the police to keep passports or other travel documents of illegal immigrants. Authorities have noted that often immigrants destroy their papers when they are caught to avoid being sent home. In 1996, problems erupted over Chirac's determination to send home about 50 Africans who were seeking shelter in a Paris church. The immigrants, most of whom had been in the country for several years, had been denied residence permits. They began a hunger strike in July that continued for 40 days. At the end of the 40th day, the police intervened to interrupt the strike. The fasters refused medical treatment and vowed to continue the strike until the government relaxed its deportation policies. The police detained over 200 of the homeless foreigners and sent the majority of those persons home. Interior Minister Jean-Luis Debre, made a point of announcing that in July 1996 that France has shipped out at least three plane loads of illegal immigrants. Similar deportations were

to continue. In 1995 alone, the government sent more than 10,000 persons back to their native lands (Whitney 3).

Estimates say that some 100,000 illegal immigrants enter France each year, which is most likely a low estimate. Chirac blames its neighbors, Germany, Spain, and Italy for the flow of undocumented foreigners. He claims that the external border controls of these nations is too lax, and it allows for too many persons to enter the European Union. Once immigrants are within the EU, there are relatively few controls to prevent them from entering any of the member nations. Thus, Chirac has postponed its plans to join other EU countries and dropping the border checks inside the region (Simons 4).

The National Front and the Rise of Opposition

Intolerance and hatred exist all over the world, and France is certainly no exception. The extreme right and the fascists were able to remain intact after World War II in France, unlike their counterparts in Germany and Italy. Those that were direct collaborators with Michael Petain and the Vichy regime were either imprisoned or executed, many not in direct power were spared and lived on to start a new movement. Leaders such as Charles Maurras, Rene Binet, Maurice Beredeché, and Pierre Poujade kept the spirit of fascism and right-wing extremism alive throughout the 1950's and 1960's. Rene Binet was quoted as calling for the "purging of the French race of elements which sully it: the negroes, the Jews, the Mongols..." (Simmons 17). This era of leaders were preparing to fight the impending "African invasion", as they termed it. Their cause was to preserve all that was French, and to discredit, discourage and demoralize all that was not.

During this time, racist activities were prevalent. In the summer of 1969, there had been fifteen attacks on cafes that were frequented by Northern Africans. Shanty towns in areas around Paris, in which there was a strong immigrant population were attacked with homemade bombs.

Throughout this movement of the extreme right in post war France, Jean-Marie Le Pen, the current president of the National Front (NF), deserves special mention. Le Pen's personal history is subject to question. Different accounts of his childhood and young adult life exist. It is claimed that he fought for the Resistance during the War. He was a member of the paratroopers during the war in Indo-China. He is said to have predicted the uprising and revolution in Algeria. He was an adamant supporter of the Algerians in their fight for independence. It was this war that caused him to separate from his mentor, Poujade, as they exhibited different perspectives on the issue. Poujade wanted to preserve the empire and Le Pen believing in a free Algeria. He also served in the National Assembly. Whatever the story of Le Pen's life, one thing remains certain. He has built the extreme right to what it is today. Jean Marie Le Pen is the National Front.

The National Front was established in 1972 as an offspring of the other rightist movements that had lost their luster. Le Pen was an obvious choice for the presidency because he was not directly tied to any of the earlier organizations and was a good federalist able to weave the different groups together. The NF had many different aspects to its ideology. The party was in opposition to the ramifications of materialism and industrialization. It claimed to work for the return to religious values and moral consciousness. However, the issue of thought that is most relevant here is the sheer

intolerance of foreigners and immigration. Le Pen has “warned against the invasion of the country by uncontrolled immigration and the threat it posed to employment, security, and the health of the French, and to the independence and national defense of France” (Simmons 64). The Front viewed immigrants as degenerates and criminals.

The National Front is mostly responsible for keeping the issue of immigration at the forefront of public consciousness in the 1980s. It was speaking the loudest, and the most frequently on the issue. Other parties on the Left and on the Right did not know how to counter this and it made Le Pen seem like the sole spokesman on anti-immigration. It took a while for the support to build. The years between 1974 and 1982 were dreary in electoral terms. Le Pen could barely muster 0.76% of the vote in 1974. In 1981 he could not even gather the required signatures to place his name on the ballot. But the continued debate on immigration eventually allowed for electoral success. This change began in 1983.

In the 1983 Municipal elections, the National Front was able to place nine candidates on the ballot. Le Pen himself was running for a seat on the Paris council. His campaign slogan was: “Two million unemployed is two million immigrants too many. France and the French first” (Marcus 53). The Front candidates fell short of the 10 percent minimum vote required to continue onto the next elections, but it was still a major accomplishment for a party that only a few years before could not find enough votes to appear on the ballot.

In 1984, the National Front elected 11 members to the European Parliament, thanks to the proportional representation system in France. The party was thus able to spread its message and its influence to the rest of Europe. The National Front was able to increase its

influence in France as well throughout the 80's and 90's winning more seats in local elections. In the Presidential elections in 1988, Le Pen won enough votes to make it past the first election and on to the second ballot.

The Front capitalized on the turmoil of the 1980s. Although Francois Mitterand was socialist, and in favor of lenient policies towards immigrants, Jacques Chirac, the Prime Minister, was on the opposite end of the spectrum. The party used the cohabitation period to its advantage. He was a proponent of tough, restrictionist policies. Therefore, Chirac was and is a natural ally of Le Pen.

With all the electoral success in the past years, the National Front must be acting on and speaking out for anti-immigrant, anti-Semitic sentiments in the French population. However, it is also a paradox. Last August, Le Pen gave a speech advocating the inequality of the races, standing on a podium with the words "*Le Francais D'Abord*", or "The French First." (Chaddock 42). This prompted the government to advocate controversial legislation limiting hate speech. At first glance, this may seem aimed at Le Pen's organization. The Front sees this as an opportunity to ban those who would advocate anti-French perspectives. Those immigrant and immigrant supporters who speak out against all that is French also can be cited under this new law. The same government limiting hate speech is also the one that has proposed new legislation severely limiting immigration, but inadvertently played into the NF's hands by providing them with a "tool" for advancing their cause.

As a seeming result of the Front's movement, even more racial violence, and cruel treatment of foreigners has ensued. In 1992 the Federation Internationale de Droits des

Hommes accused the police in France of abusive behavior in their identity check powers. This organization advocated fair and just treatment of suspects in the wake of numerous allegations of police brutality. In 1992, two North African men were killed as a result of police confrontations (Fekete 24). The Front held a rally in the fall of 1996 in response to a murder of a 14 year old boy in which the key suspect was a 15-year old boy of North African decent. Le Pen used this rally to further advocate his cause and to harbor his resentment of the current government which is working on drafting legislation to make racist acts a crime considering and indirect provocations to discrimination a crime.

In the elections of 1995, the Front won 15% in the last presidential elections, and in local elections the Front continues to maintain 30 to 35% of the vote (Simons 2).

Although support is still relatively small in comparison to other parties it continues to grow. The fact is increasingly alarming in a world where globalization is well underway.

The European Union and Supranational Controls

The one remaining influence on immigration policies in France is the European Union. Formed in 1956 as the European Coal and Steel Community, the Union has evolved into a supranational body incorporating various issues, policies and procedures affecting the 15 member nations. France was one of the founding six members of the ECSC and has continued to be in the forefront advocating its development. As mentioned before, one of the founding principles of the European Union was the free movement of persons, goods and services between member nations. The treaties and bureaucracy of the Union have developed, but the heart of the immigration issue was not fully developed until the Treaty of

Maastricht, signed in 1992 and put into effect in 1993. This treaty stated that all citizens of member nations were citizens of the Union with voting rights. Citizens of member nations may live and work in other member states with little or no restrictions. There have been some barriers to this idea, but the process continues to evolve. The persons moving within the European Union have been students, highly skilled workers moving from the North to the South, and those unskilled workers moving to the north to find employment. Work and residence permits are not required for this type of movement. The intra-EU migration is not studied extensively and not given great political significance. The reason is that numbers are not very great. There is only minimal intra-Union migration, and only about half that of immigrants from nonmember states (Koslowski 377).

In addition to the European Union, France is a member of the Schengen Agreement since 1985. This is a treaty between some of the EU nations to abolish internal borders and passport control in the EU. It is also meant to coordinate drug and terrorism policies. These member nations control their boundaries by registering all third party country citizens entering the area in common computer networks, with photographs and fingerprints. These countries also have a common list of third countries whose citizens need a visa to enter. The Schengen states have the same criteria for granting asylum, deportation and expulsion policies. This type of agreement is representative of the idea of a Fortress Europe. Fortress Europe is a term used to describe the impending cooperation, and exclusion of those not in the agreements. Europe barricades itself from Third World nations instead of trying to help these fledgling states. Europe is being closed to non-Europeans as a result of such agreements.

The Schengen Agreement was established in the absence of EU regulations. In 1985, the Treaty of Maastricht was envisioned, but far from being realized. Maastricht does not address all the aspects of policies of Schengen. It deals strictly with intra-EU migration. There is some overlap in practices dealing with inter-EU migration between Maastricht and Schengen. The overlap only occurs in inter-EU policies because there is no coordinated European Union policy on outside immigration. Any agreements, according to Maastricht, in this regard are to be made among individual nations. Schengen is seen as the blueprint for future Union agreements on immigration policies. In 1993 France amended its constitution in order to further cooperate with Schengen and Maastricht agreements on definitions of citizenship (Philip 172).

Although France advocates further cooperation between member nations, immigration policies are not one area in which she wishes to give up sovereignty. In the campaign to ratify Maastricht, France was reluctant to give voting rights to non-French nationals. France wanted to reserve deportations exclusively to the French government. France has backed down from the free internal border structure that was promulgated by the Schengen Agreement as well. In June of 1995, France decided that it would maintain its border controls with the member nations. The reasoning behind this sudden change of heart was a lack of control over illegal immigration and the movement of drugs. In July of 1995, Spain and France made an agreement to reinforce their common border citing terrorist activity in the Basque provinces as the impetus for changing policies. Further terrorist and bomb attacks have fostered French resolve to maintain the control (Convey 940).

Analysis and Conclusions

France has exhibited shifts in immigration policies over the past fifty years. If open borders fit the needs of the country and the economy, then open borders existed. However, once the economy was no longer growing, and internal problems resulted from open immigration, then the government was determined to control the borders. Consistent policies and procedures have not been realized in post War France. The nature of the administration determined the policies; the conservatives taking a hard line on immigration in the latter portion of those years, and the socialists looking toward more human rights aspects of the foreign workers.

France's shifts in policies acknowledge the fact that public opinion and the charisma of national leaders produce the agenda of the state. France needed to grow after the war. De Gaulle was a pro-business ally and shaped his policies in a way that would benefit business. He implemented some government controls, but those were eventually relaxed. In the 1960s and early 1970s social unrest as a result of anti-immigrant sentiment erupted, which led the Giscard administration and later the Pompidou regime to continue along hard lines in controlling borders and halting mass immigration. During the socialist reign of Mitterand, the socialist belief in the rights of all men shifted the focus from controlling borders to making life easier for those already in the country. With all the changes and evolutions of policy, one aspect of the most modern era that none of the leaders have been able to disregard is the challenge of the far right. The rise of the National Front and its increase in popularity and electoral success has led the administration to take harsher measures on border controls, nationality status, and residency and work regulations in

response. The conservative agenda most closely resembled the restrictionist, anti-immigrant stance of the National Front, however, they exceeded their original intentions during the 1970s

Throughout this research it is apparent that France is not consistent about immigrants. The planners of the immediate post-War period did not anticipate the problems that immigrant populations would present to the nation, both in terms of infrastructure as well as domestic opinion. Present day France is a product of the post War concern for economic growth. After the Trente Glorieuse, the economy began to decline and unemployment grew. This was not anticipated. Unfortunately, France suffered and the French voiced their opinions in the form of protests and votes for the anti-immigrant candidates.

In assessing the situation, France has a mixed record dealing with its policies of the past in an effective manner. There needs to be a balance between border controls and domestic policies of assimilation and cooperation. Currently, only deportations and expulsions are the procedures for managing the indigent foreign population. This only causes further social unrest and increased numbers of protests as have been exhibited earlier this spring (1997).

The prospect of future immigration policies seems buried in the past history. France continues to be inconsistent in its wishes for a coordinated European policy, moving forward in signing the Schengen, but also taking a step back by suspending the agreement on opening internal borders. France will never be a nation simply of Caucasian, Catholic individuals with ancestral lineage tied directly to France. It seems as though the nation is

unwilling to accept this, and until it does the policies of immigration will continue to be inconsistent. Domestic policies need to be implemented to combat unemployment and improve the living conditions of the current minorities. In doing this, France may be able to alleviate some of the negativity directed towards the immigrant population. If successful, they would not be seen as taking jobs away from French natives. In answering the question posed in the introduction to this study, France wishes to be both French while advocating the free movement of persons, goods and services. Whichever role seems to benefit the nation is the one in which will be advocated. The goals, however, are contradictory.

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